

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
HUGUENS C. SOUHAITE

Plaintiff,

-against-

COUNTY OF NASSAU, et al.,

Defendants.
-----X

FEUERSTEIN, J.

ORDER

12-CV-2698(SJF)(ETB)

U.S. DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
CLERK'S OFFICE

★ OCT 18 2012 ★

LONG ISLAND OFFICE

On September 24, 2012, Magistrate Judge E. Thomas Boyle entered an order adjourning sine die an initial conference scheduled for September 26, 2012. [Docket Entry No. 15].

Plaintiff Huguens C. Souhaite ("plaintiff") subsequently filed a notice of appeal of the order to the United States Court of Appeals for the Second Circuit. Plaintiff's notice of appeal is construed as an objection to the order pursuant to Federal Rule of Civil Procedure 72(a), which allows a party to object to a nondispositive pretrial order of a Magistrate Judge. Fed. R. Civ. P. 72(a). Upon a timely objection, the district court must "modify or set aside any part of the order that is clearly erroneous or is contrary to law." Id.; see also 28 U.S.C. § 636(b)(1)(A).

Magistrate Judge Boyle's order granting an adjournment was neither clearly erroneous nor contrary to law. Accordingly, plaintiff's objection is overruled.

SO ORDERED.

s/ Sandra J. Feuerstein

Sandra J. Feuerstein
United States District Judge

Dated: October 18, 2012
Central Islip, New York